

E-FILED on 10/18/07

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

TELE ATLAS N.V. and TELE ATLAS
NORTH AMERICA,

Plaintiffs,

v.

NAVTEQ CORPORATION,

Defendant.

No. C-05-01673 RMW

ORDER DENYING MOTION TO SHORTEN
TIME

[Re Docket No. 95]

Plaintiffs Tele Atlas N.V. and Tele Atlas North America ("Tele Atlas") move to shorten time for a hearing on its motion for leave to submit additional expert disclosure. Defendant NAVTEQ Corp. ("NAVTEQ") opposes the motion. The court deems the motion appropriate for submission on the papers. *See* Civ. L.R. 7-1(b).

Civil Local Rule 6-3(a)(3) requires a showing of "substantial harm or prejudice that would occur if the Court did not change the time." Tele Atlas submits in its accompanying declaration that it seeks resolution of the motion for leave to submit additional expert disclosure so that it "may submit Dr. Neels' additional disclosure and offer Dr. Neels for further deposition well in advance of the deadline for NAVTEQ to file and serve its reply briefs on summary judgment." Baily Decl. ¶ 3. However, Tele Atlas fails to explain what new expert opinion Dr. Neels will offer, how it might be

1 relevant to Tele Atlas' opposition to NAVTEQ's already-filed motion for summary judgment, or why
2 Dr. Neels' new testimony could not have been obtained during the scheduled discovery process.
3 Tele Atlas does not show how it will suffer "substantial harm or prejudice" if its motion is not heard
4 on the standard schedule.

5 For the foregoing reasons, the court DENIES the motion to shorten time. Tele Atlas' motion for
6 leave to submit additional expert disclosure will be heard on November 30, 2007.

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8 DATED: 10/18/07



RONALD M. WHYTE
United States District Judge

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11 **Dated:** 10/18/07

TSF

Chambers of Judge Whyte